

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION.

Plaintiff,

 \mathbf{V}_i

MARC J. GABELLI and BRUCE ALPERT,

Defendants.

CERTIFICATE OF SERVICE

Civil Action
No. 08-Civ-3868

I, Richard V. Conza, an attorney admitted to practice in the State of New York and the Managing Attorney of the firm of Cleary Gottlieb Steen & Hamilton LLP, hereby certify that:

1. On the 7th day of May 2008, the Amended Notice of Appearance and Demand for Service of Papers was served by Federal Express upon:

Edward McDonald
Dechert LLP
30 Rockefeller Plaza
New York, NY 10112-2200

Robert B. Blackburn
Securities and Exchange Commission
3 World Financial Center, Room 4300
New York, NY 10281

Kevin P. O'Rourke
Christopher R. Conte
Mark Kreitman
Ivonia K. Slade
Jill S. Henderson
Securities and Exchange Commission
100 F. Street, N.E.
Washington, DC 20549-4010

2. This service was made by an assistant managing clerk of this firm under my general supervision.

Dated: New York, New York
May 7, 2008

/s/Richard V. Conza
Richard V. Conza